

## GANG ACTIVITY OR ASSOCIATION

The School Board acknowledges the existence of gangs in the community and the threat they pose to the educational environment. Therefore, students shall not engage in gang activity on school grounds, on school buses, at bus stops, or on any school sponsored activity. In addition, students shall not engage in gang activity using the School Division computer system at any time. A gang is defined as any group of two or more persons whose purpose includes:

- Commission of illegal acts
- Participation in activities that threaten the safety of persons or property
- Disruption of the school environment
- Creation of an atmosphere of fear and intimidation

Students shall be subject to disciplinary action in accordance with Policy and Regulation JFC for participating in gang activity. Gang activity is defined as:

- Wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;
- Committing any act or omission, or using any speech, either verbal or non-verbal (such as gestures or hand-shakes) showing membership or affiliation in a gang;
- Using any speech or committing any act or omission in furtherance of the interests of any gang, including: (a) soliciting, hazing and initiating others for membership in any gang, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school policy and inciting other students to act with physical violence;
- Inappropriate congregating, bullying, cyberbullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors
- Committing any other illegal act or other violation of school policy
- Inciting other students to act with physical violence.

The Superintendent shall, in cooperation with local law enforcement and/or juvenile agencies, develop a regulation listing known gang clothing, jewelry, emblems, badges, signs, gestures, handshakes and symbols. The list shall be updated regularly.

The Superintendent shall provide in-service training in gang behavior and characteristics to facilitate staff identification of students at-risk of gang involvement and promote membership in authorized school groups and/or activities as an alternative.

Adopted: December 5, 1996

Amended: June 18, 1998

Amended: June 15, 2004  
Amended:

Legal Refs.: Code of Virginia, as amended, §§ [18.2-46.1](#), [22.1-70](#), [22.1-78](#), [22.1-79\(2\)](#),  
~~[22.1-253.13:7.B.3](#)~~, [22.1-276.01](#)

Stephenson v. Davenport Community School District, 110F.3d 1303 (8<sup>th</sup> Cir. 1997).

Chalifoux v. New Caney Independent School District, Case No. 97-1763, U.S. District Court, S.C. Texas (Sept. 3, 1997).

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